IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(C).No. 7215 of 2007(H)

PETITIONER:

GLADSTON JUSTUS J.L.,J.L.COLLEGE,
VAZHUTHOTTUKONAM,DHANUVACHARAPURAM,
THIRUVANANTHAPURAM, PIN-695503.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS:
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1. STATE OF KERALA, REP. BY PRINCIPAL
SECRETARY, GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE KERALA PUBLIC SERVICE COMMISSION,
OFFICE OF THE KERALA PUBLIC SERVICE COMMISSION,
PATTOM, THIRUVANANTHAPURAM.

3. DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION,
CIVIL STATION, PALAKKAD.

BY GOVT.PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/03/07 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No.7215 OF 2007

Dated this the 12th day of March, 2007

JUDGMENT

Case of the petitioner in brief is as follows:

Ext.P1 is the certificate in Diploma in Teacher Education issued by the secretary to the Director of Government Examinations, Madras. Case of the petitioner is that by Ext.P2 Government ordered that Diploma in Teacher Education (Regular) of Tamil Nadu Government is recognised as sufficient training qualification for appointment as Primary teachers in Aided Tamil medium schools or parallel divisions. According to the petitioner, petitioner who is diploma in Teacher Education regular in Malayalam medium is also qualified which is equivalent to TTC Malayalam medium in Kerala for appointment as LPSA Malayalam medium. Petitioner applied for the post of LPSA Malayalam in Palakkad district. She was called for the written test

and she was included in the rank list under SIUC Nadar community. Thereafter petitioner was called for the interview. But in Ext.P3 call letter he was told that he need to appear for the interview having certificate of TTC issued by the Government of Kerala examination Commissioner. Petitioner was not allowed to participate in the interview. Petitioner submitted Exts.P4 and P5 representations before respondents 1 and 2. But no action is taken. Hence petitioner approached this court.

2. I heard learned counsel for the petitioner and the learned standing counsel for the Public Service Commission.

3. Ext.P2 would show that by order dated 17-05-89 Government found that as per G.O.(Ms.) 108/86/G.Edn. dated 30-06-1986 Diploma in Teacher Education (regular) of Tamil Nadu Government is recognised as sufficient training qualification for appointment as Primary Teachers in Aided Tamil Medium schools or parallel divisions. On the basis of the same, Government ordered that said qualification will be extended to

Government schools also. Accordingly, to Explanation II of the Government order dated 06-06-1980, Explanation II A is added As per Explanation II A it is provided that in the case of schools where Tamil is the sole medium of instruction or where parallel divisions in Tamil are sanctioned under rule 7 of Chapter VII Diploma in Teacher Education (Regular) issued by the Government of Tamil Nadu shall be considered as sufficient training qualification for appointment to the post of Upper Primary School Assistant/Lower Primary School Assistant in those Tamil Medium schools or parallel divisions. However, petitioner has applied for appointment to the post of LPSA in Malayalam in Palakkad district. In such circumstances, petitioner may not be able to get support from the amendment. Even though learned counsel for the petitioner contended that petitioner must be treated as qualified as he has basic TTC examination Malayalam conducted by the Tamil Nadu Government and he has produced Ext.P7 in this regard, I am of the view that the qualification which

the petitioner possesses cannot be treated as basic TTC examination Malayalam conducted by Madras Government. In such circumstances, there is no merit in the writ petition and it is dismissed.

K.M.JOSEPH
JUDGE

sv.